

October 19, 2006

Thomas**Communications**  
& Technologies

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Syracuse, New York 13202  
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Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743

Request for Review  
Of Denial of Funding by Schools and Libraries Division of the  
Universal Service Administrative Company for  
New Jersey Schools Construction Corporation  
Billed Entity Number 15218925

CC Docket No. 02-6

Dear Sir or Madam:

On behalf of the New Jersey School Construction Corporation (NJSCC) Thomas Communications & Technologies, LLC (TCT) hereby appeals the funding denial of the following NJSCC Funding Request Numbers (FRN):

<b>471 #</b>	<b>FRN</b>	<b>NJSCC Project Number</b>	<b>District</b>
477379	1317899	ET-0077-E01	Asbury Park
473951	1306781	ES-0029-E01	East Orange
446824	1295785	ES-0001-E01	Irvington
470569	1317280	JE-0035-E01	Jersey City
474756	1309422	ET-0043-E01	Long Branch
474811	1309728	ET-0080-E01	Long Branch
475523	1311934	ET-0079-E01	Neptune
482658	1336725	NE-0001-E01	Newark
472325	1301905	PA-0025-E01	Paterson
472169	1300739	ET-0081-E01	Plainfield
483800	1341322	WT-0018-E01 RB1	Trenton
446838	1295895	HU-0022-E01	Union City
475128	1311134	ST-0033-E01	Vineland-77%
470533	1296030	HU-0021-E01	West New York

Each of the above FRNs was denied funding for the same reason on either March 29, 2006 or May 8, 2006: "FCC rules require that a contract for the products/services be signed and dated by both parties prior to the filing of the Form 471. This requirement was not met." An appeal was submitted to the Schools and Libraries Division of the Universal Service Administrative Company (SLD) on May 30, 2006. That appeal was subsequently denied by the SLD in an

Administrator's Decision on Appeal-Funding Year 2005-2006 dated August 21, 2006. At this time we request review of this decision and request full funding for these FRNs.

Throughout the Program Integrity Assurance Process and the Selective Review Process, we have maintained that the NJSCC did in fact have binding agreements in place prior to the submission of the FCC Form 471, and therefore the NJSCC is in full compliance with the FCC's guidelines. The NJSCC utilizes a procurement process that extends over several months in incremental steps. This procurement process conforms to the laws of the State of New Jersey and the protocol established by the Division of Law within the New Jersey Department of Law and Public Safety (DOL). A brief description of that process follows:

- The NJSCC Notice of Award (NOA) (Attachment 1), along with vendor contract documents, is issued to the vendor after the NJSCC, in conjunction with the DOL, has reviewed the bids for conformity to legal requirements and the RFP requirements and has determined the lowest responsible bidder. The NJSCC, issues this document to advise the vendor that the contract has been awarded to their firm but that it is contingent, like many E-rate contracts, on several conditions being met.
- As stated in the NOA, the vendor is to sign the contract and return it to the NJSCC within five days. This confirms that the vendor agrees with the terms and conditions of the contract and can provide the products and services described in the contract for the amount submitted in the bid and award by the NJSCC. The vendor must also provide additional documentation, per the NOA, as a condition for the DOL to provide the NJSCC with legal authorization to sign the contract document.
- In compliance with requirements of the State of New Jersey and the DOL, and as stated in the NOA, the agreements established with the NOA and the signing of the vendor contract, are contingent on the issuance of the Notice-to-Proceed (NTP). The NTP, in turn, is contingent on final contract approval by the DOL, and signing of the contract by the NJSCC.

By way of illustration, Attachment 2 outlines the principal milestones of the NJSCC's procurement process for the 14 FRNs listed in this appeal. Just as many E-rate contracts contain contingencies, such as those that utilize the template provided by E-rate Central (Attachment 3), so do the NJSCC contracts. Note that all of the NOA letters state the contingencies. These contingencies protect the public interest by ensuring that only responsible, low bidders are contracted to undertake public construction projects. The process after the Notice of Award and the vendor's execution of the contract entails the necessary legal approval that all of the contingencies have been met.

Most importantly, it is fully documented that the NJSCC's competitive procurement process met all SLD guidelines. This includes the requirement that there be a binding agreement in place at the time the Form 471 was submitted. Nevertheless, in the Administrator's Decision on Appeal-Funding Year 2005-2006 dated August 21, 2006, the SLD states, "Contracts must

be signed and dated by both parties at the time of filing the Form 471 in order to be considered valid.” When pressed for the basis for these requirements, the SLD has pointed to Section B “Document Retention Requirements” of the FCC’s Fifth Report and Order (FCC 04-190). It is our understanding that this list is an example of the types of documents that every applicant should maintain for five years after the last date of service in order to remain in compliance with program rule not a definition of a contract. In recent months, the FCC has recognized contracts as being valid even though they do not technically fit the required format.

*In DA 06-1265 Requests for Review by Richmond County School District, Hamlet, NC, Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-451211, 452514, 464649 released June 13, 2006 the FCC stated the following:*

During selective review, USAC found that the documentation provided by Richmond County demonstrated that its contracts with the three service providers were either not signed and/or dated until after the submission of Richmond County’s FCC Form 471s...As it pertains to Richmond County’s contract with eChalk, LLC, while the agreement indicates February 1, 2005 as the “effective date” of the service order, more than one week prior to the FCC Form 471 certification date of February 10, 2005, it does not include dates accompanying the signatures...We also have no reason to doubt that the contract with eChalk, LLC was signed as of the effective date of the agreement.

*In DA 06-1655 Request for Review by Gayville-Volin School District 63-1 Gayville, South Dakota, Schools and Libraries Universal Service Support Mechanism, File No. SLD-471545 released August 18, 2006 the FCC stated the following:*

USAC found that while the agreement between Gayville-Volin and the service provider was signed, it was not dated by both parties...We find that Gayville-Volin had a legally binding agreement in place when submitting its FCC Form 471.

These cases set a precedent that a contract may be a valid binding agreement even though it does not contain two signatures and two dates. At this time we request that the FCC recognize the contracts issued by the NJSCC as binding agreements.

Despite the cases referenced above, we realize the FCC has not directed the SLD to discontinue the use of the two signatures and two dates standard when reviewing contracts. We believe that the documentation submitted substantiates a binding agreement between the NJSCC and the vendor, and that this appeal should therefore be granted on its own merits. However, if the information provided above does not convince the commission that binding agreements were in place, we request a waiver. The grounds for a waiver are two-fold: (1) the NJSCC is required to follow a procurement process mandated by the State of New Jersey and the DOL, and (2) the NJSCC believed they were satisfying the demands of the program and did not intend to abuse the program in any way.

**(1) The NJSCC is required to follow a procurement process mandated by the State of New Jersey and the DOL:**

In *DA 06-785 Requests for Waiver of the Decision of the Universal Service Administrator by Illinois School for the Visually Impaired, Jacksonville, IL, Schools and Libraries Universal Service Support Mechanism, File No. SLD-419654* released April 3, 2006, a waiver was granted to the Illinois School due to the fact that they were required to follow state mandated procurement procedures.

Quoting from the FCC decision in DA-06-785A1 (Illinois School for the Visually Impaired)

Because the Illinois School is fully funded by the State of Illinois Department of Human Services, it must follow the State of Illinois Office of Central Management Services procedures to obtain a contract for a service provider.

We hold that *because the NJSCC is fully funded by the State of New Jersey (pursuant to New Jersey Educational Facilities Construction And Financing Act), it must follow the State of New Jersey and DOL procedures to obtain a contract for a service provider.*

Quoting again from the FCC decision in DA-06-785A1 (Illinois School for the Visually Impaired)

... the Illinois School had a legally binding contract in place during the funding year and before the vendor began providing services. We find, therefore, that in these cases the policy behind the rule was satisfied even if the Illinois School did not technically meet the requirements of the rule.

We hold that per Attachment 1 *the NJSCC had a legally binding contract in place during the vendor year and before the vendor began providing services.*

The NJSCC followed contract/procurement policies and procedures of New Jersey, the NJSCC, and the E-rate Program. SLD reviewers, however, obviously concluded that NJSCC vendor contracts did not meet the "letter of the law" per SLD rules. We hold that the FCC decision in DA-06-785A1 (Illinois School for the Visually Impaired) applies directly to the NJSCC and the contracts associated with the FRNs under discussion here. We hold further that the NJSCC contract documents signed prior to submission of the 471 comply with the policy behind the rule.

**(2) The NJSCC believed they were satisfying the demands of the program and did not intend to abuse the program:**

In *DA 06-1107 Request for Review of a Decision of the Universal Service Administrator by Cincinnati City School District, Cincinnati, Ohio, Schools and Libraries Support Mechanism,*

*File NO. SLD-376499 released May 26, 2006*, Cincinnati City School District issued a Purchase Order prior to submitting their FCC Form 471, but they did not have a signed contract in place at that time.

The record demonstrates that while Cincinnati School technically missed the program deadline for having a written contract in place at the time it submitted its FCC Form 471, Cincinnati School had a legally binding agreement in place during Funding Year 2003 and before the vendor, BCS, began providing services...In this case the policy behind the rule was satisfied even if Cincinnati School did not technically meet the requirements of the rule.

*In DA 06-1265 Requests for Review by Richmond county School District, Schools and Libraries Universal Service Support Mechanism, File Nos. SLD-451211, 452514, 464649* Richmond County School District signed a contract with Novell after they submitted their Form 471.

The record demonstrates that while Richmond County technically missed the program deadline for having a signed contract in place prior to submission of its FCC Form 471, Richmond County had a legally binding contract in place during the Funding Year 2005 and before the vendor began providing services...Richmond County's FCC Form 471 was certified only one day before the contract was awarded to Novell, Inc. Because Richmond County had an explicit agreement with Novell, Inc. before submitting its FCC Form 471, we find that, in this case, the policy behind the rule was satisfied even if Richmond County did not technically meet the requirements of the rule...Richmond County's violation of this rule was only technical in nature and Richmond County's other actions mitigate any concern over the rule violation.

In each of these cases the technical requirement of having a contract signed and dated by both parties prior to the submission of FCC Form 471 was waived by the FCC given the following criteria were met:

a. The applicant observed a fair and open competitive bidding process.  
In this situation the NJSCC conducted an extensive competitive bidding process. In total twenty-two applications were submitted for E-rate funding in Funding Year 2005. Each application covered one contract/project. Thorough RFPs were developed by the NJSCC for each project. Thirteen different vendors submitted price proposals for at least one of these projects, and a majority of the projects received three or more price proposals. Seven different vendors were awarded at least one contract each. The entire competitive bidding process was tracked and documented thoroughly.

b. The error was of a technical nature, not one of waste, fraud or abuse.  
The error in question here is a technical error similar in nature to the two FCC decisions referenced above. A strict procurement process was followed based on State and DOL procedures, vendors were awarded contracts, and vendors accepted the award all prior to the submission of the Forms 471.

c. The applicant had a legally binding contract in place prior to the start of the Funding Year and before the vendor provided any services.

This was true for the NJSCC contracts in question here as well. All of the documentation - the Notice of Award, the contract, and the Notice to Proceed-must be executed per NJSCC policy before a vendor may begin work for the NJSCC. (Attachment 1) This documentation was executed before the start of the Funding Year and before the vendors provided any services

While these cases do not eliminate the requirement of a signed contract, they all allow a waiver when (citing from all three cases):

...particular facts make strict compliance inconsistent with the public interest...Waiver is appropriate if special circumstances warrant a deviation from the general rule, and such deviation would better serve the public interest than strict adherence to the general rule...Finally, we find that, for this applicant, denying its requests for funding would create undue hardship and prevent it from receiving E-rate funding.

Through the New Jersey Educational Facilities Construction and Financing Act the state of New Jersey has dedicated itself to spending \$8.6 billion in public school construction. \$6 billion of that has been set aside for the 31 poorest districts in the state known as the Abbott School Districts. Each of the districts included in the FRNs in this appeal are Abbott School Districts. Denying the NJSCC's *request for funding would create undue hardship* for the children in the New Jersey's Abbott School Districts.

It's on these grounds that we seek a reversal of the decision to deny funding to the FRNs listed above, and we ask for full funding for these FRNs.

Sincerely,

**THOMAS COMMUNICATIONS & TECHNOLOGIES, LLC**



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Jessica A. Nilsen  
E-rate Production Manager

Enclosure

cc: Bill Hayes-Thomas Communications & Technologies, LLC  
Claude Adair-Thomas Communications & Technologies, LLC  
Barbara Bohi-NJ Schools Construction Corporation

# Attachment 1



Asbury Park  
471 # 477379  
FRN 1317899

February 9, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973-253-5601)

RE: Notice of Award  
Contract No.: ET-0077-E01  
Asbury Park -- Thurgood Marshall Elementary School Network Electronics & Servers

Dear Mr. Nolan:

We are pleased to inform you that the New Jersey School Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated ET-0077-E01, Asbury Park -- Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following location: Thurgood Marshall Elementary School. The contract amount is \$84,784. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A -- Schedule of SBE Participation for Contractors" and "Form C -- Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO BOX 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 942-5955

email: [schools@njccc.com](mailto:schools@njccc.com)

WEBSITE: [www.njccc.com](http://www.njccc.com)

Page 2  
February 9, 2005  
Notice of Award  
Project No.: ET-0077-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

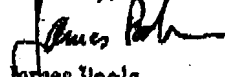
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Bill Mahan of my staff.

Sincerely,

  
James Poles  
Senior Project Officer

JP/bm  
Enclosures

cc: Project File  
D. Moore, NJSCC  
P. Quinn, NJSCC - Trenton  
J. Barbato, NJSCC  
K. DeMeo, NJSCC

J. Jenkins, NJSCC  
H. Gomp, NJSCC  
A. Gjelkero, Gjelkero & Nepona  
A. Lewis, Superintendent - Ashbury Park School District



April 27, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX AND MAIL (973-253-5601)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Nolan:

This letter will serve as the Notice-to-Proceed for the Construction Phase of the Network Electronics and Servers project (ET-0077-E01), at the Thurgood Marshall Elementary School in the Asbury Park School District pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Promedia Technology Services, Inc. in the amount of \$84,784, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Bill Mahan, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

*John F. Spencer*  
John Spencer

JS/bm

Received by: Promedia Technology Services, Inc.

Signature Wm Paul Nolan

By Wm. Paul Nolan

Title COO / SECY

**Attachment**

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
P. Qvale, NJSCC  
C. Banks, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
K. Drakeford, NJSCC  
K. Harrell, NJSCC  
A. Ojeikere, Gilbane - Neptune  
A. Lewis, Superintendent - Asbury Park School District  
E. Kent, Interim Business Administrator - Asbury Park School District

R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
B. Bohi, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

CONTRACT

THIS CONTRACT is made and entered into this 29 day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Promedia Technology Services, Inc. (Contractor) with a principal office location at 57 Lakeview Avenue, Clifton, NJ 07011. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ET-0077-E01

Contract Name: Thurgood Marshall Elementary School Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Eighty Four Thousand Seven Hundred and Eighty Four Dollars (\$84,784).

ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design &  
Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

ADDRESS FOR GIVING NOTICES:

PROMEDIA TECHNOLOGY SERVICES, INC.

ATTN: Mr. Paul Noun

57 LAKEVIEW AVE

CLIFTON NJ 07011

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Kimberly Davison By John F. Spencer 4-27-05  
(Signature) (Signature) Date  
Kimberly DAVISON John F. Spencer  
(Printed Name) (Printed Name)  
Admin. ASST. CEO  
(Title) (Title)

Attest:

\_\_\_\_\_  
(Signature) By \_\_\_\_\_  
(Signature) Date  
\_\_\_\_\_  
(Printed Name) (Printed Name)  
\_\_\_\_\_  
(Title) (Title)

**CONTRACTOR**

Promedia Technology Services, Inc.

Witness or attest:

Diane Cronk By Wm Paul Nolan 02-15-05  
(Signature) (Signature) Date  
DIANE CRONK WM. PAUL NOLAN  
(Printed Name) (Printed Name)  
TECHNICAL ADMINISTRAT. CHIEF OPERATING OFFICER / SECY  
(Title) (Title)

**AFFIX SEAL IF A CORPORATION**



East Orange  
471 # 473951  
FRN 1306781

February 10, 2005

Mr. William Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973-253-5601)

RE: Notice of Award  
ES-0029-E01- East Orange - 3 Schools - Cabling, Telephone System, Network Electronics & Servers

Dear Mr. Nolan:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated *ES-0029-E01 - East Orange - Cabling, Telephone System, Network Electronics & Servers* to your firm. The contract requires the furnishing of materials and labor at the following locations: Mildred B. Garvin Micro Society Elementary School, Elementary School #5 and Langston Hughes Elementary School. The contract amount is **\$360,259**. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" or the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS: PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: [schools@njacc.com](mailto:schools@njacc.com) Website: [www.njacc.com](http://www.njacc.com)

Page 2

February 10, 2005

Notice of Award

Project No.: ES-0029-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity (General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Mirna I. Quintana, Procurement Project Officer of my staff.

Sincerely,

James Poole

Senior Project Officer

JP/miq  
Enclosures

C: Project File  
D. Moore, NJSCC  
B. Behl, NJSCC  
D. O'Gorman, NJSCC - Newark  
J. Barbuto, NJSCC  
K. Drakoford, NJSCC

C. Banks, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
C. Lightburn, Doi Todd Associates - Project Management Firm - East Orange  
Dr. L. S. Wilson, Superintendent - East Orange School District



April 27, 2005

Mr. William Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973-253-5601)

Dear Mr. Nolan:

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Nolan:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Cabling, Telephone System, Network Electronics & Servers project (ES-0029-E01), at Mildred B. Garvin, Langston Hughes Elementary and School #5 in the East Orange School District* pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Promedia Technology Services, Inc. in the amount of \$360,259, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Mirna I. Quintana, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

AY/miq

Received by: Promedia Technology Services, Inc.

Signature 

By 

Title C.O.O. / Secy

**Attachment**

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Bohi, NJSCC  
C. Banks, NJSCC  
M. Fengya, NJSCC - Newark  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
K. Drakeford, NJSCC  
K. Harrell, NJSCC  
C. Lightburn, Don Todd Associates - Project Management Firm - East Orange  
L. S. Wilson, Superintendent - East Orange School District  
M. Kramer, Business Administrator - East Orange School District  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO BOX 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625

609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

# CONTRACT

THIS CONTRACT is made and entered into this 29 day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Promedia Technology Services, Inc. (Contractor) with a principal office location at 57 Lakeview Avenue, Clifton, NJ 07011. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ES-0029-E01

Contract Name: East Orange – Cabling, Telephone System, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Three Hundred Sixty Thousand Two Hundred Fifty Nine Dollars (\$360,259.00).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

PROMEDIA TECHNOLOGY SERVICES, INC.

ATTN: WM PAUL NOLAN

57 LAKEVIEW AVE

CLIFTON NJ 07011

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Kimberly Davison  
(Signature)

John F. Spencer  
(Signature)

4-27-05  
Date

Kimberly DAVISON  
(Printed Name)

John F. Spencer  
(Printed Name)

Admin. Asst.  
(Title)

CEO  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Promedia Technology Services, Inc.

Witness or attest:

Diane Cronk  
(Signature)

Wm. Paul Nolan  
(Signature)

02-18-05  
Date

DIANE CRONK  
(Printed Name)

WM. PAUL NOLAN  
(Printed Name)

TECHNICAL ADMINISTRAT.  
(Title)

CHIEF OPERATING OFFICER / SECY  
(Title)

**AFFIX SEAL IF A CORPORATION**



Irvington  
471#446824  
FRW 1295785

February 10, 2005

Mr. Anthony Montemurro  
Tel-It Communications, Inc.  
313 8<sup>th</sup> Street  
Palisades Park, NJ 07650

VIA FAX & MAIL (201-242-0366)

RE: Notice of Award

Contract No.: ES-0001-E01, Irvington -- University Six School -- Cabling, Telephone System, Network Electronics & Servers

Dear Mr. Montemurro:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1E-9, has awarded the contract for the project designated ES-0001-E01, Irvington -- Cabling, Telephone System, Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following location: University Six School. The contract amount is \$637,500. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];

Page 2

February 10, 2005

Notice of Award

Project No.: ES-0001-E01

- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);
- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

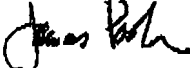
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Bill Mahan of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/bm  
Enclosures

Project File  
D. Moore, NJSCC  
A. Torres, NJSCC - Jersey City  
D. Babi, NJSCC - Trenton  
K. Drykeland, NJSCC  
C. Banks, NJSCC - Trenton

J. Barajas, NJSCC  
J. Jenkins, NJSCC  
H. Gang, NJSCC  
G. Hattis, Bavis Local League - Jersey City  
E. Smith, Superintendent - Irvington School District



**NJ Schools Construction Corporation**  
BUILDING 21ST CENTURY SCHOOLS FOR 21ST CENTURY LEADERS

June 1, 2005

Mr. Anthony Montemurro  
Tel-It Communications, Inc.  
313 8<sup>th</sup> Street  
Palisades Park, NJ 07650

VIA FAX AND MAIL (201-242-0366)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Montemurro:

This letter will serve as the Notice-to-Proceed for the Construction Phase of the Cabling, Telephone System, Network Electronics & Servers project, (ES-0001-E01), at the University Six School in the Irvington School District pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Tel-It Communications, Inc. in the amount of \$637,500, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Bill Mahan, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

*John F. Spencer*  
John F. Spencer

JS/bm

Received by: Tel-It Communications, Inc.

Signature *Anthony Montemurro*

By *Anthony Montemurro*

Title *Vice - President*

**Attachment**

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
C. Banks, NJSCC  
A. Tesmer, NJSCC - Jersey City  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
K. Drakeford, NJSCC  
K. Harrell, NJSCC  
G. Rabitsky, Bovis Lend Lease - Jersey City  
E. Smith, Superintendent - Irvington School District  
M. Steele, Business Administrator - Irvington School District

R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
B. Bohi, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

## CONTRACT

THIS CONTRACT is made and entered into this 12<sup>th</sup> day of June 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Tel-It Communications, Inc. (Contractor) with a principal office location at 313 8<sup>th</sup> Street, Palisades Park, NJ 07650. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ES-0001-E01

Contract Name: Irvington, University Six – Cabling, Telephone System, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Six Hundred Thirty Seven Thousand and Five Hundred Dollars (\$637,500).

### ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

### ADDRESS FOR GIVING NOTICES:

TEL-IT Communications, Inc.

312 7<sup>th</sup> Street  
Palisades Park, NJ 07650  
ATTN: Anthony Montemurro

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santorello

(Signature)

By

J. F. Spencer

(Signature)

6/1/05  
Date

Donna Santorello

(Printed Name)

J. Spencer

(Printed Name)

Tech Asst

(Title)

CEO

(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature) Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Tel-It Communications, Inc.

Witness or attest:

Jesse Nasr

(Signature)

By

Anthony Montemurro

(Signature)

2/10/05  
Date

Jesse Nasr

(Printed Name)

Anthony Montemurro

(Printed Name)

Project Manager

(Title)

Vice-President

(Title)

**AFFIX SEAL IF A CORPORATION**



Jersey City  
471 #470569  
FRN 1317280

February 10, 2005

Mr. Steven J. Wilk  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876

VIA FAX & MAIL (908-253-0601)

RE: Notice of Award  
JE-0035-E01 - Jersey City - 6 Schools - Cabling, Network Electronics & Servers

Dear Mr. Wilk:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated **JE-0035-E01 - Jersey City - Cabling, Network Electronics & Servers** to your firm. The contract requires the furnishing of materials and labor at the following locations: PS # 3, PS #14, PS #20, PS #24, MS #4 and MS #7. The contract amount is **\$2,019,026**. This amount consists of the base bid in **\$1,883,177** and alternates one (1) that have been accepted by the New Jersey Schools Construction Corporation and the School District in the amount of **\$135,849**. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. (The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed));

MAILING ADDRESS: PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njcc.com](mailto:schools@njcc.com)

WEBSITE: [www.njcc.com](http://www.njcc.com)

Page 2

February 10, 2005

Notice of Award

JE-0035-E01

- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);
- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Mirna I. Quintana, Procurement Project Officer of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/miq

Enclosures

C: Project File  
D. Moore, NJSCC  
E. Bohi, NJSCC  
F. Quale, NJSCC - Trenton  
G. Banks, NJSCC  
K. Drakeford, NJSCC

J. Barbato, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
A. Tesmer, NJSCC - Jersey City  
N. Hoffman, URI: Corporation - Project Management Firm - Jersey City  
Dr. C. T. Eppel, Jr., Superintendent - Jersey City School District



May 12, 2005

Mr. Steven J. Wilk  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876-3518

VIA FAX AND MAIL (908-253-0601)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Wilk:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Cabling, Network Electronics & Servers project (JE-0035-E01), at PS #3, PS#14, PS#20, PS#24, MS#4 and MS#7 in the Jersey City School District* pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Transnet Corporation in the amount of \$2,019,026.32, which consists of a base bid of \$1,883,177.14 and alternate #2-additional servers in the amount of \$135,849.18, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Mirna I. Quintana, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

AY/miq

Received by: ~~Transnet Corporation~~

Signature 

By STEVEN J. WILK

Title PARTNERS

**Attachment**

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Bohi, NJSCC  
A. Tesmer, NJSCC - Jersey City  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
N. Hoffman, URS Corporation - PMF - Jersey City  
Dr. C.T. Epps, Jr., Superintendent - Jersey City School District  
J. Gilman, Business Administrator - Jersey City School District

K. Drakeford, NJSCC  
K. Harrell, NJSCC  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: [schools@njscs.com](mailto:schools@njscs.com)

WEBSITE: [www.njscs.com](http://www.njscs.com)

## CONTRACT

THIS CONTRACT is made and entered into this 12<sup>th</sup> day of May 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Transnet Corporation (Contractor) with a principal office location at 45 Columbia Road, Somerville, NJ 08876. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: JE-0035-E01

Contract Name: Jersey City - Cabling, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, including the base bid and the following listed Alternates which have been accepted by the Corporation, the Corporation will pay the Contractor the sum of Two Million Nineteen Thousand Twenty Six Dollars and Thirty Two Cents (\$2,019,026.32).

The contract amount consists of a base bid of \$1,883,177.14 and add alternate accepted by the Corporation as referenced in the Project Specifications, Section 01030, as follows:

Alternate # 2 Additional servers \$135,849.18

### ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation  
Managing Director of School Design &  
Construction  
Attn: Mr. Donald E. Moore  
One West State Street  
Trenton, NJ 08625-0991

### ADDRESS FOR GIVING NOTICES:

Transnet Corporation  
Attn: Michele Kramer  
45 Columbia Road  
Somerville, NJ 08876

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

<u>Donna Sontarello</u>	By <u>John F. Spencer</u>	_____
(Signature)	(Signature)	Date
<u>Donna Sontarello</u>	<u>John F. Spencer, CEO</u>	
(Printed Name)	(Printed Name)	
<u>Tech Assist</u>	<u>NJSCC</u>	
(Title)	(Title)	

Attest:

_____	By	_____	_____
(Signature)		(Signature)	Date
_____		_____	
(Printed Name)		(Printed Name)	
_____		_____	
(Title)		(Title)	

**CONTRACTOR**

Transnet Corporation

Witness or attest:

<u>Nancy Sison</u>	By <u>Steven J. Wilk</u>	<u>2-15-05</u>
(Signature)	(Signature)	Date
<u>NANCY SISON</u>	<u>STEVEN J. WILK</u>	
(Printed Name)	(Printed Name)	
<u>Sr. Acct. Exec.</u>	<u>PRESIDENT</u>	
(Title)	(Title)	

**AFFIX SEAL IF A CORPORATION**



Long Branch  
471 # 474756  
FRN 1309422

February 9, 2005

Mr. Anthony Montemurro  
Tel-It Communications, Inc.  
313 8<sup>th</sup> Street  
Palisades Park, NJ 07650

VIA FAX & MAIL (201-242-0366)

RE: Notice of Award  
Contract No.: ET-0043-E01, Long Branch  
Gregory Elementary School - Cabling, Telephone System, Network Electronics & Servers

Dear Mr. Montemurro:

We are pleased to inform you that the New Jersey School's Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated ET-0043-E01, Long Branch - Cabling, Telephone System, Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following location: Gregory Elementary School. The contract amount is \$519,639. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

ING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: [schools@njeda.com](mailto:schools@njeda.com) Website: [www.njsc.com](http://www.njsc.com)

Page 2

February 9, 2005

Notice of Award

Project No.: ET-0043-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

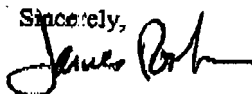
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Aaron Goss of my staff.

Sincerely,



James Foole

Senior Project Officer

JP/acg

Enclosures

c: Project File  
D. Moore, NJSCC  
P. Ovale, NJSCC - Trenton  
K. Drakeford, NJSCC  
J. Barbato, NJSCC

J. Jenkins, NJSCC  
H. Gong, NJSCC  
C. Charamanna, Greyhawk North America - Monacaquan  
J. Perrine, Superintendent - Long Branch School District



April 27, 2005

Mr. Anthony Montemurro  
Tel-It Communications, Inc.  
313.8<sup>th</sup> Street  
Palisades Park, NJ 07650

VIA FAX & MAIL (201-242-0366)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Montemurro:

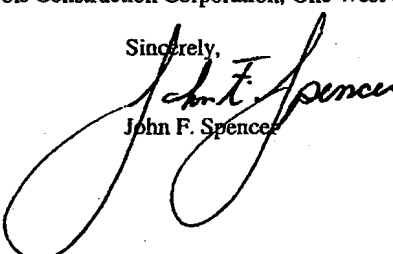
This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Cabling, Telephone Systems, Network Electronics & Server project (ET-0043-E01)*, at the *Gregory Elementary School* in the Long Branch School District pursuant to the Contract between the *New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Tel-It Communications, Inc.* in the amount of \$519,639, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Aaron C. Goss, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spence

JS/acg

Received by: Tel-It Communications, Inc.

Signature 

By 

Title   
Vice-President

Attachment

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
P. Qvale, NJSCC - Trenton  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
C. Caramanna, GreyHawk North America - Manasquan  
J. Ferraina, Superintendent - Long Branch School District  
N. Valenti, Business Administrator - Long Branch School District

K. Drakeford, NJSCC  
N. Torrens, NJSCC  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Bmde, NJSCC  
J. Howard, NJSCC  
B. Bohi, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsccl.com](mailto:schools@njsccl.com)

WEBSITE: [www.njsccl.com](http://www.njsccl.com)

CONTRACT

THIS CONTRACT is made and entered into this 27 day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Tel-It Communications, Inc. (Contractor) with a principal office location at 313 8<sup>th</sup> Street, Palisades Park, NJ 07650. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ET-0043-E01

Contract Name: Gregory Elementary School - Cabling, Telephone System, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Five Hundred and Nineteen Thousand Six Hundred and Thirty Nine Dollars (\$519,639).

ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

ADDRESS FOR GIVING NOTICES:

Tel-It Communications, Inc.

312 7<sup>th</sup> Street

Palisades PK. NJ 07650

Attn: Anthony Montemurro

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Mary Shaw  
(Signature)

By

John F. Spencer  
(Signature)

4/27, 2005  
Date

MARY SHAW  
(Printed Name)

John F. Spencer  
(Printed Name)

Asst. Admin. Asst. -  
Procurement  
(Title)

CEO  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Tel-It Communications, Inc.

Witness or attest:

Jesse Nasr  
(Signature)

By

Anthony Montemurro  
(Signature)

2/15/05  
Date

Jesse Nasr  
(Printed Name)

Anthony Montemurro  
(Printed Name)

Project Manager  
(Title)

Vice-President  
(Title)

**AFFIX SEAL IF A CORPORATION**



Long Branch  
471 # 474811  
FRN 1309728

February 10, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973) 259-5601

RE: Notice of Award

Contract No.: ET-0080-E01, Long Branch, New High School – Network Electronics & Servers

Dear Mr. Nolan:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated **ET-0080-E01, Long Branch– Network Electronics & Servers** to your firm. The contract requires the furnishing of materials and labor at the following location: **New High School**. The contract amount is **\$715,820**. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. **Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.**

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A – Schedule of SBE Participation for Contractors" and "Form C – Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njssc.com](mailto:schools@njssc.com)

WEBSITE: [www.njssc.com](http://www.njssc.com)

Page 2

February 10, 2005

Notice of Award

Project No.: ET-0080-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity (General Consent and Waiver) (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eol34>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please **do not date the contract on page one (1)**. The contract will be dated at the time it is signed by the NJSCC.

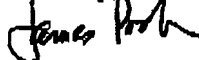
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD**.

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Michael Corboy of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/mc

Enclosures

C: Project File  
D. Moore, NJSCC  
A. Bohi, NJSCC - Trenton  
P. Qvale, NJSCC - Trenton  
K. Drakeford, NJSCC

J. Barbato, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
M. Schlectweg, Gilbane - Neptune  
M. Peralta, Superintendent - Long Branch School District



June 1, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973) 259-5601

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Nolan:

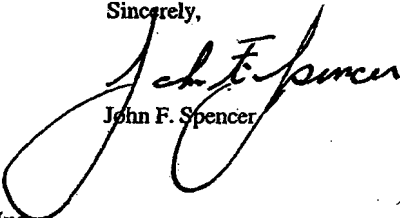
This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Network Electronics & Servers Project (ET-0080-E01)*, at the *New High School in the Long Branch School District*, pursuant to the Contract between the *New Jersey Schools Construction Corporation*, a subsidiary of the *New Jersey Economic Development Authority* and *Promedia Technology Services, Inc.* in the amount of \$715,820, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report – Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Michael Corboy, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

JS/mc

Received by: Promedia Technology Services, Inc.

Signature 

By

W.M. PAUL NOLAN

Title

CHIEF OPERATING OFFICER

**Attachment**

cc:

Project File

D. Moore, NJSCC

R. DeVito, NJSCC

J. Barbato, NJSCC

B. Bohi, NJSCC – Trenton

P. Qvale, NJSCC – Trenton

J. Jenkins, NJSCC

H. Gong, NJSCC

K. Drakeford, NJSCC

K. Harrell, NJSCC

M. Schlectweg, Gilbane - Neptune

J. Ferraina, Superintendent – Long Branch School District

N. Valenti, Business Administrator – Long Branch School District

R. Clowry, NJSCC

K. McElroy, NJSCC

E. Quirk, OGI

C. Alvarez, NJSCC

B. Emde, NJSCC

J. Howard, NJSCC

K. Simmonds, NJSCC

V. Hunt, NJSCC

MAILING ADDRESS

PO Box 991

TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625

609 943-5955

email: [schools@njssc.com](mailto:schools@njssc.com)

WEBSITE: [www.njssc.com](http://www.njssc.com)

# CONTRACT

THIS CONTRACT is made and entered into this 1st day of June 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Promedia Technology Services, Inc. (Contractor) with a principal office location at 57 Lakeview Avenue, Clifton, NJ 07011. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ET-0080-E01

Contract Name: Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Seven Hundred Fifteen Thousand, Eight Hundred and Twenty Dollars (\$715,820).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

PROMEDIA TECHNOLOGY SERVICES, INC.

ATTN: W.M. PAUL NOLAN

57 LAKEVIEW AVE

CLIFTON, NJ 07011

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**  
New Jersey Schools Construction Corporation

Attest:

<u>Donna Santarelli</u> (Signature)	By <u>John F. Spencer</u> (Signature)	<u>6/1/05</u> Date
<u>Donna Santarelli</u> (Printed Name)	<u>J. Spencer</u> (Printed Name)	
<u>Tech Asst</u> (Title)	<u>CEO</u> (Title)	

Attest:

_____	By	_____	_____
(Signature)		(Signature)	Date
_____		_____	
(Printed Name)		(Printed Name)	
_____		_____	
(Title)		(Title)	

**CONTRACTOR**  
Promedia Technology Services, Inc.

Witness or attest:

<u>[Signature]</u> (Signature)	By	<u>Wm. Paul Nolan</u> (Signature)	<u>02-18-05</u> Date
<u>DIANE CRONK</u> (Printed Name)		<u>WM. PAUL NOLAN</u> (Printed Name)	
<u>TECHNICAL ADMINISTRAT.</u> (Title)		<u>CHIEF OPERATING OFFICER / SECY</u> (Title)	

AFFIX SEAL IF A CORPORATION



Neptune  
471 # 475523  
FRN 1311934

February 10, 2005

Mr. Fred Moore  
M&S Communications Group, LLC  
11-2 Hene Court  
Hillsborough, NJ 08844

VIA FAX & MAIL (908-359-0365)

RE: Notice of Award  
Contract No.: ET-0079-E01, Neptune - Summerfield Elementary School & Neptune Community School - Network Electronics & Servers

Dear Mr. Moore:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated ET-0079-E01, Neptune - Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: Summerfield Elementary School & Neptune Community School. The contract amount is \$158,391.39. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set as de goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO BOX 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955 email: schools@njssc.com WEBSITE: www.njssc.com

Page 2  
February 10, 2005  
Notice of Award  
Project No.: ET-0079-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

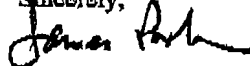
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Aaron Goss of my staff.

Sincerely,



James Poole  
Senior Project Officer

JP/acg  
Enclosures

c: Project File  
D. Moore, NJSCC  
F. Quate, NJSCC - Trenton  
J. Barbato, NJSCC  
K. Drakeford, NJSCC

C. Banks, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
M. Schlectyweg, Office - Neptune  
M. Luke, Superintendent - Neptune School District



April 27, 2005

Mr. Fred Moore  
M&S Communications Group, LLC  
11-2 Ilene Court  
Hillsborough, NJ 08844

VIA FAX & MAIL (908-359-0365)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Moore:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Network Electronics & Servers project (ET-0079-E01)*, at the *Summerfield Elementary School & Neptune Community School in the Neptune School District*, pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and M&S Communications Group, LLC in the amount of \$158,391.39, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Aaron C. Goss, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John Spencer

JS/acg

Received by: M&S Communications Group, LLC

Signature 

By Dan Fowler

Title Member

Attachment

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
P. Qvale, NJSCC - Trenton  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
M. Schlectweg, Gilbane - Neptune  
M. Lake, Superintendent - Neptune School District  
D. Mooij, Business Administrator - Neptune School District

K. Drakeford, NJSCC  
K. Harrell, NJSCC  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
B. Bohi, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

THIS CONTRACT is made and entered into this 27<sup>th</sup> day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and M&S Communications Group, LLC (Contractor) with a principal office location at 11-2 Ilene Court, Hillsborough, NJ 08844. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ET-0079-E01

Contract Name: Summerfield Elementary School & Neptune Community School Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of One Hundred Fifty Eight Thousand Three Hundred and Ninety One Dollars and Thirty Nine Cents (\$158,391.39).

ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation  
Managing Director of School Design &  
Construction  
Attn: Mr. Donald E. Moore  
One West State Street  
Post Office Box 991  
Trenton, NJ 08625-0991

ADDRESS FOR GIVING NOTICES:

M&S Communications Group  
Fred Moore  
11-2 Ilene Court  
Hillsborough, NJ 08844

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santarelli  
(Signature)

By

John F. Spencer  
(Signature)

4/27/2005  
Date

Donna Santarelli  
(Printed Name)

John F. Spencer  
(Printed Name)

Teck Asset  
(Title)

CEO  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

M&S Communications Group, LLC

Witness or attest:

[Signature]  
(Signature)

By

[Signature]  
(Signature)

2/14/05  
Date

Dan Fowler  
(Printed Name)

Fred Moore  
(Printed Name)

Member  
(Title)

Member  
(Title)

**AFFIX SEAL IF A CORPORATION**



Newark  
471 #482658  
FRN 1336725

February 17, 2005

Mr. Steven J. Wilk  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876

VIA FAX & MAIL (908-253-0601)

RE: Notice of Award  
NE-0001-E01 - Newark - Science Park H. S. - Cabling, Telephone System & Network Electronics

Dear Mr. Wilk:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated **NE-0001-E01- Newark - Cabling, Telephone System and Network Electronics** to your firm. The contract requires the furnishing of materials and labor at the following location: **Science Park High School**. The contract amount is **\$598,542**. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4), and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standard established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

Page 2

February 17, 2005

Notice of Award

Project No.: NE-0001-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Mirna I. Quintana, Procurement Project Officer of my staff.

Sincerely,

James Poole

Senior Project Officer

JP/miq  
Enclosures

C. Project File  
D. Moore, NJSCC  
B. Boli, NJSCC  
C. Banks, NJSCC  
K. Drakeford, NJSCC  
Donna O'Gorman, NJSCC - Newark

J. Barbuto, NJSCC  
J. Jenkins, NJSCC  
H. Qong, NJSCC  
S. Grant, PB+3D1 - Project Management Firm - Newark  
M. Bolden, Superintendent - Newark School District



April 27, 2005

Mr. Steven J. Wilk  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876-3518

VIA FAX AND MAIL (908-253-0601)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Wilk:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Cabling, Telephone System & Network Electronics project (NE-0001-E01), at Science Park High School in the Newark School District* pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Transnet Corporation in the amount of \$598,542, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report--Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Mirna I. Quintana, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

Andrew Yosha, Managing Director  
Contract Procurement & Administration

AY/miq

Received by: Transnet Corporation

Signature

By

Title

**Attachment**

cc:

Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Bohi, NJSCC  
D. O'Gorman, NJSCC - Newark  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
K. Drakeford, NJSCC  
K. Harrell, NJSCC  
C. Banks, NJSCC  
S. Grant, PB+3DI - Project Management Firm - Newark  
M. Bolden, Superintendent - Newark School District  
R. Lee, Business Administrator - Newark School District

R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

# CONTRACT

THIS CONTRACT is made and entered into this 27<sup>th</sup> day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Transnet Corporation (Contractor) with a principal office location at 45 Columbia Road, Somerville, NJ 08876. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: NE-0001-E01

Contract Name: Newark – Cabling, Telephone System & Network Electronics

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of Five Hundred Ninety Eight Thousand Five Hundred Forty Two Dollars and Forty Three cents (\$598,542.43).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

TransNet Corporation

ATTN: Michele Kramer

45 Columbia Road

Somerville, NJ 08876

908-947-0176 Telephone

908-253-0600 Fax

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santanello  
(Signature)

By

Andrew Yosha  
(Signature)

4/27/05  
Date

Donna Santanello  
(Printed Name)

(Printed Name)

Andrew Yosha, Managing Director  
Contract Procurement and Administration

Tech Assist  
(Title)

(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Transnet Corporation

Witness or attest:

Nancy Sison  
(Signature)

By

Steven J. Wilk  
(Signature)

2/24/05  
Date

Nancy Sison  
(Printed Name)

Steven J. Wilk  
(Printed Name)

Sr. Account Executive  
(Title)

President  
(Title)

**AFFIX SEAL IF A CORPORATION**



Paterson  
471 # 472325  
FRN 1301905

February 10, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973-253-5601)

RE: Notice of Award  
Contract No.: PA-0025-E01, Paterson - Four (4) Schools - Cabling, Telephone System, Network Electronics & Servers

Dear Mr. Nolan:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated PA-0025-E01, Paterson - Cabling, Telephone System, Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: International High School Academy, Marshall Street Elementary School, PS #13 Elementary School & PS #24 Elementary School. The contract amount is \$985,243. This amount consists of the base bid of \$850,473 and alternates #1 for additional network electronics that have been accepted by the New Jersey Schools Construction Corporation and the School District in the amount of \$134,770. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];

ADDRESS PO Box 881 TRENTON, NJ 08625-0881

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njssc.com](mailto:schools@njssc.com)

WEBSITE: [www.njssc.com](http://www.njssc.com)

Page 2  
February 10, 2005  
Notice of Award  
Project No.: PA-0025-E01

- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);
- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed – forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

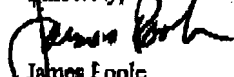
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Bill Mahan of my staff.

Sincerely,

  
James F. Fole  
Senior Project Officer

JP/bm  
Enclosures

cc: Project File  
D. Moore, NJSCC  
B. Patel, NJSCC – Paterson  
K. Davidson, NJSCC  
J. Barham, NJSCC

G. Banks, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
L. Rollers-Schmitt, Joint Facilities – Paterson  
D. Clancy, Superintendent – Paterson School District



April 27, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX AND MAIL (973-253-5601)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Nolan:

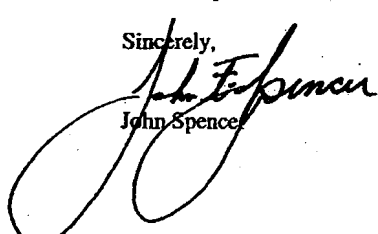
This letter will serve as the Notice-to-Proceed for the Construction Phase of the Cabling, Telephone System, Network Electronics & Servers project (PA-0025-E01), at the International High School Academy, the Marshall Street Elementary School, PS #13 Elementary School & PS #24 Elementary School in the Paterson School District pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Promedia Technology Services, Inc. in the amount of \$985,243, which consists of a base bid of \$850,473 and alternate #1 for additional network electronics in the amount of \$134,770, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.I of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Bill Mahan, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John Spence

JS/bm

Received by: Promedia Technology Services, Inc.

Signature 

By W. PAUL NOLAN

Title COO/SECY

Attachment

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Patel, NJSCC - Paterson  
C. Banks, NJSCC  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
L. Rollerschnitzer, Jacobs Facilities - Paterson  
D. Clancy, Superintendent - Paterson School District  
W. Moffitt, Business Administrator - Paterson School District

K. Drakeford, NJSCC  
K. Harrell, NJSCC  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
B. Bohi, NJSCC  
K. Simmonds, NJSCC  
V. Humr, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsccl.com](mailto:schools@njsccl.com)

WEBSITE: [www.njsccl.com](http://www.njsccl.com)

CONTRACT

THIS CONTRACT is made and entered into this 27<sup>th</sup> day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Promedia Technology Services, Inc. (Contractor) with a principal office location at 57 Lakeview Avenue, Clifton, NJ 07011. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: PA-0025-E01

Contract Name: Paterson - International HS Academy, Marshall Street ES, PS #13 & PS #24 - Cabling, Telephone System, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, including the base bid and the following listed Alternates which have been accepted by the Corporation, the Corporation will pay the Contractor the sum of Nine Hundred Eighty Five Thousand Two Hundred and Forty Three Dollars (\$985,243).

The contract amount consists of a base bid of \$850,473.00 and add alternate accepted by the Corporation as referenced in the Project Specifications, Section 01030 as follows:

Alternate #1      Additional Network Electronics      \$134,770

ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation  
Managing Director of School Design &  
Construction  
Attn: Mr. Donald E. Moore  
One West State Street  
Trenton, NJ 08625-0991

ADDRESS FOR GIVING NOTICES:

PROMEDIA TECHNOLOGY SERVICES, INC.  
ATTN: WM. PAUL NOLAN  
57 LAKEVIEW AVE  
CLIFTON NJ 07011

IN WITNESS WHEREOF the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santorello  
(Signature)

By John F. Spencer  
(Signature)

Date

Donna Santorello  
(Printed Name)

John Spencer  
(Printed Name)

Tech Asst  
(Title)

CEO  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Promedia Technology Services, Inc.

Witness or attest:

Diane Cronk  
(Signature)

By Wm Paul Nolan  
(Signature)

02-18-05  
Date

DIANE CRONK  
(Printed Name)

WM. PAUL NOLAN  
(Printed Name)

TECHNICAL ADMINISTRAT.  
(Title)

CHIEF OPERATING OFFICER / SECY  
(Title)

**AFFIX SEAL IF A CORPORATION**



Plainfield  
471 #472169  
FRN 1300739

February 10, 2005

Mr. Steven Wilk  
TransNer Corporation  
45 Columbia Road  
Somerville, NJ, 08876

VIA FAX & MAIL (908.253.0601)

RE: Notice of Award  
ET-0081-E01, Plainfield - Clinton Elementary School and New Elementary School at Emerson -  
Cabling, Telephone System, Network Electronics and Servers

Dear Mr. Wilk:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated ET-0081-E01, Plainfield - Cabling, Telephone System, Network Electronics and Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: Clinton Elementary School and New Elementary School at Emerson. The contract amount is \$279,512. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO Box 991 TRENTON, NJ 08825-0991

1 WEST STATE STREET TRENTON, NJ 08825 609 943-5955

email: schools@njscs.com

WEBSITE: www.njscs.com

Page 2

February 10, 2005

Notice of Award

Project No.: ET-0081-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, and the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

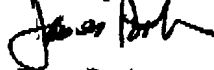
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" **to this office WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Susan Brown of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/ab

Enclosures

c: Project File  
D. Moore, NJSCC  
B. Patel, NJSCC – Paterson  
B. Costello – Epic Management – Piscataway  
P. Howard, Superintendent – Plainfield School District

J. Barbato, NJSCC  
J. Jenkins, NJSCC  
H. Goig, NJSCC  
K. Drakeford, NJSCC  
C. Banks, NJSCC



May 10, 2005

VIA FAX & MAIL (908.253.0601)

Mr. Steven Wilk  
TransNet Corporation  
45 Columbia Road  
Somerville, NJ, 08876

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Wilk:

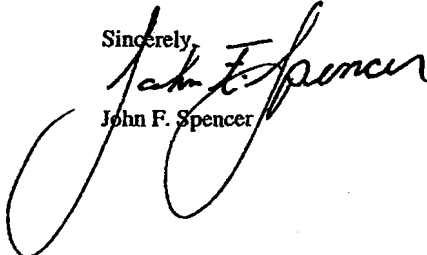
This letter will serve as the Notice-to-Proceed for the Construction Phase of the Cabling, Telephone Systems, Network Electronics and Servers project (ET-0081-E01) at Clinton Elementary School and New Emerson Elementary School in the Plainfield School District, pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and TransNet Corporation in the amount of \$279,511.82, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report – Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Susan Brown, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

JS/sb

Received by: TransNet Corporation

Signature 

By STEVEN T. WILK

Title AGENT

**Attachment**

cc: Project File

D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Patel, NJSCC – Paterson  
B. Costello – Epic Management – Piscataway  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
P. Howard, Superintendent – Plainfield School District  
G. Ottmann, Board Secretary/School Business Administrator Plainfield School District

R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
K. Drakeford, NJSCC

B. Bohi, NJSCC  
C. Banks, NJSCC  
V. Hunt, NJSCC  
K. Harrell, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsccl.com](mailto:schools@njsccl.com)

WEBSITE: [www.njsccl.com](http://www.njsccl.com)

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## CONTRACT

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THIS CONTRACT is made and entered into this 10<sup>th</sup> day of May 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and TransNet Corporation (Contractor) with a principal office location at 45 Columbia Road Somerville, NJ, 08876. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ET-0081-E01

Contract Name: Cabling, Telephone Systems, Network Electronics and Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of two hundred seventy-nine thousand five hundred eleven dollars and eighty-two cents (\$279,511.82).

**ADDRESS FOR GIVING NOTICES:**

New Jersey Schools Construction Corporation

Managing Director of School Design &  
Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

**ADDRESS FOR GIVING NOTICES:**

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---

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IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

OWNER  
New Jersey Schools Construction Corporation

Attest:

Donna Santanella  
(Signature)

By

John F. Spencer  
(Signature)

\_\_\_\_\_  
Date

Donna Santanella  
(Printed Name)

John F. Spencer, CEO  
(Printed Name)  
NJSCC

Tech Assist  
(Title)

\_\_\_\_\_  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

CONTRACTOR  
TransNet Corporation

Witness or attest:

Nancy Sison  
(Signature)

By

Steven J. Wilk  
(Signature)

\_\_\_\_\_  
Date

NANCY SISON  
(Printed Name)

STEVEN J. WILK  
(Printed Name)

SE. ACCT. EXEC.  
(Title)

PRESIDENT  
(Title)

**AFFIX SEAL IF A CORPORATION**



Trenton  
471# 483800  
FRN 1341322

February 17, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL: (973) 253-5601

RE: Notice of Award  
Contract No.: WT-0018-E01-RB1, Trenton, Three (3) Schools – Network Electronics & Servers

Dear Mr. Nolan:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated *WT-0018-E01-RB1, Trenton – Network Electronics & Servers* to your firm. The contract requires the furnishing of materials and labor at the following locations: *Columbus ES, Joyce Kilmer ES, and Martin Luther King/Jefferson schools*. The contract amount is \$195,993. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A – Schedule of SBE Participation for Contractors" and "Form C – Confirmation Statement of SBE status" of the SBE Utilization Attachments, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO Box 881 TRENTON, NJ 08625-0881

1 WEST STATE STREET TRENTON, NJ 08625 609 943-6956 email: schools@njssc.com Website: www.njssc.com

Page 2

February 17, 2005

Notice of Award

Project No.: WT-0018-E01-RB1

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity (General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state-nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.


The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Michael Corbo of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/mc

Enclosures

C: Project File

D. Moore, NJSCC

B. Bobi, NJSCC - Trenton

P. Qvale, NJSCC - Trenton

K. Drakeford, NJSCC

J. Barbato, NJSCC

J. Jenkins, NJSCC

H. Gong, NJSCC

C. Ucheyia, Hill International - Trenton

J. Lytle, Superintendents - Trenton School District



**NJ Schools Construction Corporation**  
BUILDING 21ST CENTURY SCHOOLS FOR 21ST CENTURY LEADERS

April 28, 2005

Mr. Paul Nolan  
Promedia Technology Services, Inc.  
57 Lakeview Avenue  
Clifton, NJ 07011

VIA FAX & MAIL (973) 259-5601

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Nolan:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Network Electronics & Servers project (WT-0018-E01-RB1), at the Columbus ES, Joyce Kilmer ES and Martin Luther King/Jefferson schools in the Trenton School District*, pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Promedia Technology Services, Inc. in the amount of \$195,993, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report – Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Michael Corboy, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

JS/mc

Received by: Promedia Technology Services, Inc.

Signature

By

Title

**Attachment**

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
B. Bohi, NJSCC – Trenton  
P. Qvale, NJSCC – Trenton  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
K. Drakeford, NJSCC  
K. Harrell, NJSCC  
J. Lytle, Superintendent – Trenton School District

R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC  
C. Ucheya, Hill International – Trenton  
M. Wynn, Business Administrator – Trenton School District

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

# CONTRACT

THIS CONTRACT is made and entered into this 28<sup>th</sup> day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Promedia Technology Services, Inc. (Contractor) with a principal office location at 57 Lakeview Avenue, Clifton, NJ 07011. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: WT-0018-E01-RB1, Trenton

Contract Name: Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of One Hundred Ninety Five Thousand, Nine Hundred and Ninety Three Dollars (\$195,993).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

PROMEDIA TECHNOLOGY SERVICES, INC.

ATTN: WM. PAUL NOLAN

57 LAKEVIEW AVE

CLIFTON NJ 07011

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santanella  
(Signature)

Donna Santanella  
(Printed Name)

Tech Assist  
(Title)

By John Spencer  
(Signature)

John Spencer  
(Printed Name)

CEO  
(Title)

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

By \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
Date

**CONTRACTOR**

Promedia Technology Services, Inc.

Witness or attest:

Diane Cronk  
(Signature)

DIANE CRONK  
(Printed Name)

TECHNICAL ADMINISTRAT.  
(Title)

By Wm Paul Nolan  
(Signature)

WM. PAUL NOLAN  
(Printed Name)

CHIEF OPERATING OFFICER / SECY  
(Title)

02-18-05  
Date

**AFFIX SEAL IF A CORPORATION**



**NJ Schools Construction Corporation**  
BUILDING 21ST CENTURY SCHOOLS FOR 21ST CENTURY LEADERS

Union City  
471 # 446838  
FRN 1295895

February 10, 2005

Ms. Michele A. Kramer  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876

VIA FAX & MAIL (908-253-0601)

RE: Notice of Award

Contract No.: HU-0022-E01, Union City- Elementary School #2, New Elementary School Columbus & Solemn ECC - Cabling, Telephone System, Network Electronics & Servers

Dear Ms. Kramer:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1E-5, has awarded the contract for the project designated HU-0022-E01, Union City - Cabling, Telephone System, Network Electronics & Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: Elementary School #2, New Elementary Columbus & Schlemm Early Childhood Center. The contract amount is \$1,438,755.26. This amount consists of the base bid of \$1,417,466.21 and alternate #1 for additional network electronics that have been accepted by the New Jersey Schools Construction Corporation and the School District in the amount of \$21,289.05. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. (21.20); and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached Insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5855

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

Page 2

February 10, 2005

Notice of Award

Project No.: HU-0022-B01

- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);
- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed) - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.html#eo134>; and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

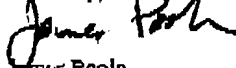
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Aaron Goss of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/acg

Enclosures

C: Project File

D. Moore, NJSCC

A. Tesmer, NJSCC - Jersey City

K. Drakeford, NJSCC

J. Barbato, NJSCC

C. Banks, NJSCC

J. Jenkins, NJSCC

H. Gong, NJSCC

A. Biasotti, Turner Construction Company - Hoboken

S. Sanger, Superintendent - Union City School District



June 2, 2005

Ms. Michele A. Kramer  
Transnet Corporation  
45 Columbia Road  
Somerville, NJ 08876

VIA FAX & MAIL (908-253-0601)

RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE

Dear Ms. Kramer:

This letter will serve as the *Notice-to-Proceed for the Construction Phase of the Cabling, Telephone Systems, Network Electronics & Servers project (HU-0022-E01), at the Elementary School #2, the New Elementary Columbus & the Schlemm Early Childhood Center* in the Union City School District pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Transnet Corporation in the amount of \$1,438,755.26, which consists of a base bid of \$1,417,466.21 and alternate #1 for additional network electronics in the amount of \$21,289.05, an executed copy of which is included with this letter. By issuance of this *Notice-to-Proceed*, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Aaron C. Goss, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

John B. Spencer

JS/acg

Received by: Transnet Corporation

Signature

By

Title

Attachment

cc: Project File  
D. Moore, NJSCC  
R. DeVito, NJSCC  
J. Barbato, NJSCC  
A. Tesmer, NJSCC - Jersey City  
J. Jenkins, NJSCC  
H. Gong, NJSCC  
A. Blasotti, Turner Construction Company - Hoboken  
S. Sanger, Superintendent - Union City School District  
A. Dragona, Business Administrator - Union City School District

K. Drakeford, NJSCC  
K. Harrell, NJSCC  
R. Clowry, NJSCC  
K. McElroy, NJSCC  
E. Quirk, OGI  
C. Alvarez, NJSCC  
B. Emde, NJSCC  
J. Howard, NJSCC  
K. Simmonds, NJSCC  
V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

## CONTRACT

THIS CONTRACT is made and entered into this 2nd day of June 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Transnet Corporation (Contractor) with a principal office location at 45 Columbia Road, Somerville, NJ 08876. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: HU-0022-E01

Contract Name: Union City - Elementary School #2, New Elementary School Columbus & Schlemm ECC - Cabling, Telephone System, Network Electronics & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, including the base bid and the following listed Alternates which have been accepted by the Corporation, the Corporation will pay the Contractor the sum of One Million Four Hundred Thirty Eight Seven Hundred Fifty Five Dollars and Twenty Six Cents (\$1,438,755.26).

The contract amount consists of a base bid of \$1,417,466.21 and add alternate accepted by the Corporation as referenced in the Project Specifications, Section 01030 as follows:

Alternate #1      Additional Network Electronics      \$21,289.05

### ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation  
Managing Director of School Design &  
Construction  
Attn: Mr. Donald E. Moore  
One West State Street  
Trenton, NJ 08625-0991

### ADDRESS FOR GIVING NOTICES:

TransNet Corporation  
ATTN: Michele Kramer  
45 Columbia Road  
Somerville, NJ 08876  
908-947-0176 Telephone  
908-253-0601 Fax

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santorello

(Signature)

By

John F. Spencer

(Signature)

6/2/05

Date

Donna Santorello

(Printed Name)

John F. Spencer

(Printed Name)

Tech Assistant

(Title)

CEO

(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Transnet Corporation

Witness or attest:

Nancy Sison

(Signature)

By

Steven J. Wilk

(Signature)

2-16-05

Date

NANCY SISON

(Printed Name)

STEVEN J. WILK

(Printed Name)

Sr. Acct. Exec.

(Title)

PRESIDENT

(Title)

**AFFIX SEAL IF A CORPORATION**

FEB 08 2005 16:19 FR CONTRACT PROCUREMENT



Vineland  
471 #475128  
FRN 131134

February 8, 2005

Mr. Katusca McEntee  
Admiral Integration, Inc.  
1950 Old Cuthbert Road  
Suite L  
Cherry Hill, NJ, 08034

VIA FAX &amp; MAIL (856.427.0600)

RE: Notice of Award  
ST-0033-E01, Vineland - New Elementary School and Veterans Memorial -  
Network Equipment & Servers

Dear Mr. McEntee:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated ST-0033-E01, Vineland - Network Equipment and Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: New Elementary School and Veterans Memorial. The contract amount is \$159,182. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" of the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO Box 891 TRENTON, NJ 08625-0891

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5055

email: [schools@njsc.com](mailto:schools@njsc.com)WEBSITE: [www.njsc.com](http://www.njsc.com)

Page 2

February 8, 2004

Notice of Award

Project No.: ST-0033-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) – Construction and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** – (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eol34>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

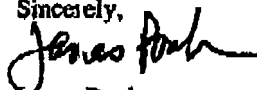
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Susan Brown of my staff.

Sincerely,



James Poole  
Senior Project Officer

JP/sb

Enclosures

cc: Project File

D. Moore, NJSCC

P. Qvale, NJSCC – Trenton

M. Venanzi, Gilbane – Cherry Hill

C. Hoover, Superintendent – Vineland School District

J. Barbato, NJSCC

J. Jenkins, NJSCC

H. Gong, NJSCC

K. Drakford, NJSCC

C. Banks, NJSCC



April 27, 2005

Mr. Katusca McEntee  
Admiral Integration, Inc.  
1950 Old Cuthbert Road  
Suite L  
Cherry Hill, NJ 08034

VIA FAX & MAIL (856.427.0600)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. McEntee:

This letter will serve as the Notice-to-Proceed for the Construction Phase of the Network Equipment and Servers project (ST-0033-E01) at New Elementary School and Veterans Memorial in the Vineland School District pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and Admiral Integration, Inc. in the amount of \$159,182, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Susan Brown, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

JS/sb

Received by: Admiral Integration, Inc.

Signature 

By

Title

Attachment

cc: Project File

D. Moore, NJSCC

R. DeVito, NJSCC

J. Barbato, NJSCC

P. Qvale, NJSCC - Trenton

J. Jenkins, NJSCC

H. Gong, NJSCC

M. Venanzi, Gilbane - Cherry Hill

C. Hoover, Superintendent - Vineland School District

K. Franchetta, Board Secretary/ Business Administrator - Vineland School District

R. Clowry, NJSCC

K. McElroy, NJSCC

E. Quirk, OGI

C. Alvarez, NJSCC

B. Emde, NJSCC

J. Howard, NJSCC

K. Simmonds, NJSCC

K. Drakeford, NJSCC

B. Bohi, NJSCC

C. Banks, NJSCC

K. Harrell, NJSCC

V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625

609 943-5955

email: [schools@njsccl.com](mailto:schools@njsccl.com)

WEBSITE: [www.njsccl.com](http://www.njsccl.com)

# CONTRACT

THIS CONTRACT is made and entered into this 29 day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and Admiral Integration, Inc. (Contractor) with a principal office location at 1950 Old Cuthbert Road, Suite L, Cherry Hill, N.J., 08034. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: ST-00333-E01

Contract Name: Network Equipment & Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of one hundred fifty nine thousand one hundred eighty two dollars (\$159,182).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design & Construction

Attn: Mr. Donald E. Moore  
One West State Street  
Post Office Box 991  
Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

Admiral Integration, Inc.

Attn: Katusca McEntee  
1950 Old Cuthbert Road  
Suite L  
Cherry Hill NJ 08034

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Kimberly Davison  
(Signature)

By

John F. Spencer  
(Signature)

4-27-05  
Date

Kimberly Davison  
(Printed Name)

John F. Spencer  
(Printed Name)

Admin. Asst  
(Title)

CEO  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

Admiral Integration, Inc.

Witness or attest:

Sharon A. Ogle  
(Signature)

By

Katiusca Mc Entee  
(Signature)

2/14/05  
Date

Sharon A. Ogle  
(Printed Name)

Katiusca Mc Entee  
(Printed Name)

Customer service Rep for  
(Title)  
Commerce Bank

President  
(Title)

**AFFIX SEAL IF A CORPORATION**



**NJ Schools Construction Corporation**  
BUILDING 21ST CENTURY SCHOOLS FOR 21ST CENTURY LEADERS

West New York  
471 # 470533  
FRN 1296030

February 10, 2005

Mr. Steven Wilk  
TransNet Corporation  
45 Columbia Road  
Somerville, NJ, 08876

VIA FAX & MAIL (908.253.0601)

RE: Notice of Award  
HU-0021-E01, West New York - Elementary School # 3, # 4 and Harry Bain Elementary School # 6  
-Cabling, Telephone Systems, Network Electronics and Servers

Dear Mr. Wilk:

We are pleased to inform you that the New Jersey Schools Construction Corporation ("NJSCC"), a subsidiary of the New Jersey Economic Development Authority ("NJEDA"), acting pursuant to N.J.S.A. 34:1B-5, has awarded the contract for the project designated HU-0021-E01, West New York - Cabling, Telephone Systems, Network Electronics and Servers to your firm. The contract requires the furnishing of materials and labor at the following locations: Elementary School # 3, # 4 and Harry Bain Elementary School # 6. The contract amount is \$1,355,217. This award is not binding upon the NJSCC and/or the NJEDA until the contract has been executed by the NJSCC. Furthermore, as stated in Article 4.3 of the General Conditions, no work shall be performed on account of the proposed contract until you have been issued the Notice to Proceed.

Pursuant to Article 6.1.2 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

Your attention is now directed to Section 6 "Contract Award and Execution" of the "Instructions to Bidders." As stated therein, your firm is required to submit the following documentation to NJSCC:

- Executed form of Contract (5 originals enclosed);
- Performance and Payment Bonds in the amount of one hundred percent (100%) of the contract amount (Forms enclosed) (1 original and 4 copies needed);
- "SBE Form A - Schedule of SBE Participation for Contractors" and "Form C - Confirmation Statement of SBE status" or the SBE Utilization Attachment, as provided by the Corporation. Consistent with the set aside goals of 5% to businesses registered in the category of gross revenues that do not exceed \$1 million (Category 4); and 10% to businesses registered in the category of having gross revenues exceeding \$1 million (Category 5) consistent with the standards established at 13 C.F.R. 121.201; and 10% to businesses in either category, the NJSCC requires contractors to make good faith efforts to identify SBE subcontractors and award at least 25% of the total contract value to SBE subcontractors;
- In accordance with Article 8 of the General Conditions, as amended in an addendum, a Certificate of Insurance compliant with the attached insurance requirements. [The Corporation reserves the right to request a certified copy of the Contractor's insurance policies (1 original needed)];
- Owner's Controlled Insurance Program (OCIP) Enrollment Form (Form enclosed);

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625

609 943-5855

email: schools@njsc.com

WEBSITE: www.njsc.com

Page 2

February 10, 2005

Notice of Award

Project No.: ET-0081-E01

- Integrity Affidavit (Form enclosed) (1 original and 4 copies needed);
- Disclosure to the Unit of Fiscal Integrity General Consent and Waiver (Form enclosed) (1 original and 4 copies needed);
- Initial Project Workforce Report (Form AA201) - Construction, and Sub-Contractor Projection Report (Form AA201A) **(TO BE RETURNED TO PROJECT SERVICES AS NOTED ON THE FORMS WITHIN 7 DAYS OF THE NOTICE TO PROCEED)** - (Forms enclosed);
- A properly signed and sealed corporate resolution verifying the authority of the officer to sign the contract for the corporation (1 original and 4 copies needed);
- EO 134 Certification & Disclosure of Political Contributions, also the Ownership Disclosure for any persons owning more than 10% of the Company (1 original and 4 copies needed - forms may be obtained from <http://www.state.nj.us/treasury/purchase/forms.htm#eo134>); and
- Copies of letters sent to all subcontractors listed in the Price Proposal submission, informing them: 1) they were listed as a subcontractor in your Price Proposal and 2) your firm has received a Notice of Award, for this project, from the NJSCC.

Page two (2) of the contract must be signed and dated by an authorized officer whose signature must be witnessed. Please do not date the contract on page one (1). The contract will be dated at the time it is signed by the NJSCC.

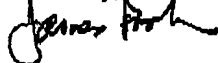
The performance and payment bonds must be legally effective as of the date the contract is signed. Each bond must indicate the Contractor's name exactly as it appears on the contract. Each bond must be signed by the authorized officers of the corporation and the corporate seal must be affixed. Current attorney-in-fact instruments and financial statements of the surety must be included with the bonds. An authorized officer or agent of the surety must execute the bonds. All names must be typed or printed below the signatures on the bonds. All bonds and the sureties that write them must conform in all respects to the requirements of applicable state law. The sureties must be currently authorized to conduct business in the State of New Jersey.

To assist you firm and your insurance company in preparing the Certificate of Insurance, please refer to the attached page, "Insurance Requirements."

Be advised that, pursuant to Section 6 of the "Instructions to Bidders", you must return all the required documentation necessary to satisfy the "Conditions Precedent" to this office **WITHIN FIVE (5) DAYS OF RECEIPT OF THIS NOTICE OF AWARD.**

Please make sure that the Contract Number and District Name is listed on all documentation and forward to Susan Brown of my staff.

Sincerely,



James Poole

Senior Project Officer

JP/sb

Enclosures

c: Project File

D. Moore, NJSCC

A. Tramer, NJSCC - Jersey City

A. Biasotti, Turner Construction Company - Jersey City

A. Yankovich, Superintendent - West New York School District

J. Barbaio, NJSCC

J. Jenkins, NJSCC

H. Gong, NJSCC

K. Drakeford, NJSCC

C. Banks, NJSCC



**NJ Schools Construction Corporation**  
BUILDING 21ST CENTURY SCHOOLS FOR 21ST CENTURY LEADERS

April 27, 2005

Mr. Steven Wilk  
TransNet Corporation  
45 Columbia Road  
Somerville, NJ, 08876

VIA FAX & MAIL (908.253.0601)

**RE: NOTICE-TO-PROCEED FOR THE CONSTRUCTION PHASE**

Dear Mr. Wilk:

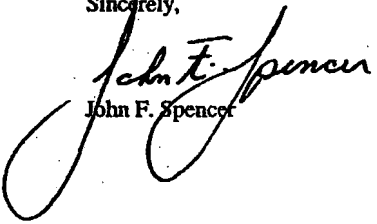
This letter will serve as the Notice-to-Proceed for the Construction Phase of the Cabling, Telephone Systems, Network Electronics and Servers project (HU-0021-E01) at Elementary School #3, #4 and Harry Bain Elementary School #6 in the West New York School District, pursuant to the Contract between the New Jersey Schools Construction Corporation, a subsidiary of the New Jersey Economic Development Authority and TransNet Corporation in the amount of \$1,355,217, an executed copy of which is included with this letter. By issuance of this Notice-to-Proceed, the New Jersey Schools Construction Corporation is directing your firm to proceed with the activities required for the Construction Phase in conformance with the Contractual Documents. The Contractor should note that the Contractual Documents require that the Contractor is enrolled in the NJSCC's Owner Controlled Insurance Program, in accordance with Article 8.2 of the General Conditions prior to work being performed on the project.

Pursuant to Article 6.1.1 of the General Conditions, the NJSCC hereby approves the subcontractors required to be named by the Bid Advertisement and listed in your Price Proposal. Please note that pursuant to Article 6.2 of the General Conditions, a contractor shall make no substitution of any subcontractor previously approved without written notification to the NJSCC and receipt of the NJSCC's written approval for such substitution. The contractor shall submit substitutions for any subcontractor no less than fourteen (14) days prior to the initiation of work by the subcontractor.

As noted in the Notice of Award, the Initial Project Work Force Report - Construction (Form AA201) and Sub-Contractor Projection Form AA201A are to be completed and returned to Project Services within seven (7) days of this Notice to Proceed letter.

Please sign where indicated at the bottom of this letter, acknowledging receipt of the Notice-to-Proceed, and return it to Susan Brown, Contract Procurement, New Jersey Schools Construction Corporation, One West State Street, P.O. Box 991, Trenton, NJ 08625-0991.

Sincerely,

  
John F. Spencer

JS/sb

Received by: TransNet Corporation

Signature 

By STEVEN J. WILK

Title PROJECT

Attachment

cc: Project File

D. Moore, NJSCC

R. DeVito, NJSCC

J. Barbato, NJSCC

A. Tesmer, NJSCC - Jersey City

J. Jenkins, NJSCC

K. Drakeford, NJSCC

A. Biasotti, Turner Construction Company - Jersey City

A. Yankovich, Superintendent - West New York School District

E. Bienkowski, School Business Administrator/Board Secretary - West New York School District

R. Clowry, NJSCC

K. McElroy, NJSCC

E. Quirk, OGI

C. Alvarez, NJSCC

B. Emde, NJSCC

J. Howard, NJSCC

B. Bohi, NJSCC

C. Banks, NJSCC

K. Harrell, NJSCC

K. Simmonds, NJSCC

H. Gong, NJSCC

V. Hunt, NJSCC

MAILING ADDRESS PO Box 991 TRENTON, NJ 08625-0991

1 WEST STATE STREET TRENTON, NJ 08625 609 943-5955

email: [schools@njsc.com](mailto:schools@njsc.com)

WEBSITE: [www.njsc.com](http://www.njsc.com)

# CONTRACT

THIS CONTRACT is made and entered into this 27<sup>th</sup> day of April 2005, between the New Jersey Schools Construction Corporation (Corporation), a subsidiary of the New Jersey Economic Development Authority (Authority), and TransNet Corporation (Contractor) with a principal office location at 45 Columbia Road Somerville, NJ, 08876. Capitalized terms shall have the meanings ascribed to them in the General Conditions and elsewhere in the Contract Documents, unless the context indicates otherwise.

WITNESSETH, that the Contractor, for and in consideration of the payments hereinafter specified and agreed to be made by the Corporation, hereby covenant and agrees to do and perform all of the Work to be done and performed in accomplishing the Acceptance and Final Acceptance and Completion of the School Facilities Project identified as:

Contract Number: HU-0021-E01

Contract Name: Cabling, Telephone Systems, Network Electronics and Servers

in strict and entire conformity with the General Conditions, Supplementary Conditions, Plans, Specifications and all other Contract Documents, which Contract Documents are hereby made part of this contract as fully and with the same effect as if the same had been set forth at length in the body of this contract.

Provided that the Contractor strictly and completely performs all of the Work and all other obligations under the Contract Documents, and subject only to such increases or decreases as are effectuated by Change Order or as otherwise provided in the Contract Documents, the Corporation will pay the Contractor the sum of one million three hundred fifty-five thousand two hundred seventeen dollars (\$1,355,217).

## ADDRESS FOR GIVING NOTICES:

New Jersey Schools Construction Corporation

Managing Director of School Design &  
Construction

Attn: Mr. Donald E. Moore

One West State Street

Post Office Box 991

Trenton, NJ 08625-0991

## ADDRESS FOR GIVING NOTICES:

TransNet Corporation

ATTN: Michele Kramer

45 Columbia Road

Somerville, NJ 08876

908-947-0176 Telephone

908-253-0601 Fax

IN WITNESS WHEREOF, the parties have caused this instrument to be signed, attested to and sealed.

**OWNER**

New Jersey Schools Construction Corporation

Attest:

Donna Santonello  
(Signature)

By

John F. Spencer  
(Signature)

4/27/05  
Date

Donna Santonello  
(Printed Name)

John F. Spencer  
(Printed Name)

Tech Consultant  
(Title)

CEE  
(Title)

Attest:

\_\_\_\_\_  
(Signature)

By

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

**CONTRACTOR**

TransNet Corporation

Witness or attest:

Nancy Sison  
(Signature)

By

Steven J. Wilk  
(Signature)

\_\_\_\_\_  
Date

NANCY SISON  
(Printed Name)

STEVEN J. WILK  
(Printed Name)

SL. ACCT. EXEC.  
(Title)

PRESIDENT  
(Title)

**AFFIX SEAL IF A CORPORATION**

## Attachment 2

FRN	District	Package #	NOA Issued	Date Vendor Accepted Contract	Contract Approved by AG's Office	Date SCC Signed the Contract	NTP Issued
1428888	Asbury Park	ET-0077-E01	2/10/2005	2/15/2005	3/22/2005	4/29/2005	4/29/2005
1435072	East Orange	ES-0029-E01	2/10/2005	2/15/2005	4/26/2005	4/29/2005	4/29/2005
1435011	Elizabeth	EL-0038-E01	2/10/2005	02/15/005	3/24/2005	4/27/2005	4/27/2005
1427896	Garfield	NT-0043-E01	2/10/2005	2/15/2005	5/11/2005	5/12/2005	5/12/2005
1422261	Hoboken	HU-0023-E01	2/17/2005	2/17/2005	5/31/2005	6/1/2005	6/1/2005
1425026	Irvington	ES-0001-E01	2/10/2005	2/15/2005	5/31/2005	6/1/2005	6/1/2005
1421226	Jersey City	JE-0035-E01	2/10/2005	2/15/2005	5/11/2005	5/12/2005	5/12/2005
1428801	Long Branch	ET-0080-E01	2/10/2005	2/15/2005	5/31/2005	6/1/2005	6/1/2005
1428987	Long Branch	ET-0043-E01	2/9/2005	2/15/2005	4/26/2005	4/27/2005	4/27/2005
1429085	Neptune	ET-0079-E01	0/10/2005	2/14/2005	3/22/2005	4/27/2005	4/27/2005
1426229	New Brunswick	NT-0042-E01	2/10/2005	2/15/2005	4/27/2005	4/28/2005	4/28/2005
1435462	Newark	NE-0043-E01	2/10/2005	2/16/2005	5/14/2005	5/16/2005	5/16/2005
1435708	Newark	NE-0001-E01	2/17/2005	2/17/2005	4/26/2005	4/27/2005	4/27/2005
1427497	Paterson	PA-0025-E01	2/10/2005	2/15/2005	3/17/2005	4/27/2005	4/27/2005
1427032	Perth Amboy	ET-0024-E01	02/10/005	2/15/2005	4/27/2005	4/29/2005	4/29/2005
1427215	Plainfield	ET-0081-E01	2/10/2005	2/15/2005	5/10/2005	5/10/2005	5/10/2005
1434888	Trenton	WT-0018-E01 RB1	2/17/2005	2/17/2005	4/27/2005	4/28/2005	4/28/2005
1425155	Union City	HU-0022-E01	2/10/2005	2/15/2005	5/31/2005	6/2/2005	6/2/2005
1434938	Vineland	ST-0018-E01	2/8/2005	2/14/2005	4/27/2005	4/28/2005	4/28/2005
1444189	Vineland	ST-0033-E01	2/8/2005	2/14/2005	4/27/2005	4/29/2005	4/29/2005
1425468	West New York	HU-0021-E01	2/10/2005	2/15/2005	3/22/2005	4/27/2005	4/27/2005

## Attachment 3

**Draft Vendor Contract Letter  
For Planned E-Rate Purchase**

Note: The purpose of this letter is to create an E-rate applicant's contractual agreement to purchase eligible products and services for the following funding year based on the acceptance of the attached specifications and price quotations (in lieu of a more formal integrated contract).

[To Be Placed on Applicant Letterhead]

Date<sup>1</sup>

Name and Address  
of Vendor Selected

Dear \_\_\_\_\_ :

This letter will confirm our decision to purchase \$\_\_\_\_\_ of [specify product/service] from your company during the next E-rate funding year (07/01/200\_ to 06/30/200\_)<sup>2</sup> as specified in the attached specifications and price quotations.

The procurement of these [product(s)/service(s)] will be dependent upon the following conditions [choose any that apply]:

1. Final approval of next year's fiscal budget;
2. Contract confirmation by next year's school board;
3. Award of associated E-rate funding; and

To accept these terms and conditions, please sign below and return by fax to NNN-NNN-NNNN.<sup>3</sup>

We look forward to working with [vendor name] on this project.

Sincerely,

[Your Name and Title]

Vendor Agreement:

By: \_\_\_\_\_  
[Name of Vendor Representative]

Date: \_\_\_\_\_  
Attachments [list]

---

<sup>1</sup> Letter should be dated on or after the applicant's Allowable Vendor Selection/Contract Date, based on the applicant's Form 470 filing. The date should also be on or before the applicant's Form 471 filing date.

<sup>2</sup> For non-recurring services, it is suggested that the terminating date be specified as 09/30/200\_.

<sup>3</sup> For E-rate purposes, the contract must be signed and dated by both the Applicant and the Service Provider. If the signature dates are different, the effective date of the contract will be deemed to be the later of these two dates.